

DISTRICT ATTORNEY KINGS COUNTY

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> [INSERT NAME] Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]

Kings County Dkt./Ind. No. [#######]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: MICHAEL NOCERINO

MOS TAX:

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move <u>in limine</u> to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 11/03/2017, AGAINST MOS NOCERINO:
ALLEGATION(S):

1. OTHER DEPARTMENT RULES/ PROCEDURES VIOLATION

CASE STATUS: CLOSED ON 04/15/2019

Disclosure # 2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 12/04/2017, AGAINST MOS NOCERINO:
ALLEGATION(S):

FAILED TO NOTIFY INTERNAL AFFAIRS BUREAU

CASE STATUS: CLOSED ON 08/31/2018

ACTION TAKEN: SCHEDULE A COMMAND DISCIPLINE

Disclosure # 3:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Julien Ford	18-CV-3620	E.D.N.Y.	6-21-18	1-10-19	Settlement without admission of fault or liability
Kewan King	18-CV-2997	E.D.N.Y.	5-21-18	1-10-19	Settlement

					without admission of fault or liability
Ellen Green et al	14-CV-6048	E.D.N.Y.	10-15-14	7-31-17	Settlement without admission of fault or liability
Duchaun Butler	10-CV-7974	S.D.N.Y.	10-20-10	2-28-12	Settlement without admission of fault or liability
Richard Fernandez	10-CV-922	E.D.N.Y.	3-2-10	2-23-11	Settlement without admission of fault or liability

NOTE: The defense bar's website, CAPSTAT, also notes that Sgt. Nocerino was the subject of a state lawsuit filed in Kings Cty. Sup. Ct., Index No. 0014965/2015, by plaintiff, Estrella Perez. While WebCivil indicates that such a lawsuit was filed (the request for judicial intervention is noted as 10-10-2018), there is no way to verify, electronically, that Sgt. Nocerino was in fact named in the suit as the complaint is not available electronically. In any event, the suit was dismissed on the NYC defendant's motion on 12-7-2018.

IN ADDITION,

 ELLEN GREEN, DONOVAN GREEN, TERELLE GREEN, HERBIE GONZALEZ, HYSHAWN JACKSON, TEMESHIA GUMBY, AND MAYLENE SANCHEZ V. CITY OF NY ET AL 14 CV 06048 FILED IN EASTERN DISTRICT

Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 10/02/2020, AGAINST MOS NOCERINO: ALLEGATION:

1. OTHER DEPARTMENT RULES/ PROCEDURES VIOLATION - NOT WEARING PPE

ACTION TAKEN: VERBAL INSTRUCTIONS

CASE CLOSED ON 11/18/20

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH FEBRUARY 2ND, 2021, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 5:

CCRB CASE: 201902270 REPORT DATE: 03/13/2019 INCIDENT DATE: 03/12/2019

CCRB SUBSTANTIATED ALLEGATIONS:

- 1. ABUSE FAILURE TO PROVIDE RTKA CARD
- 2. ABUSE FRISK
- 3. ABUSE REFUSAL TO PROVIDE SHIELD NUMBER OTHER MISCONDUCT NOTED (NO CCRB JURISDICTION):
- 1. OTHER MISCONDUCT NOTED FAILURE TO PRODUCE STOP AND FRISK REPORT

Disclosure # 6 (PENDING):

CCRB CASE: 201908128 REPORT DATE: 09/13/2019

Disclosure #7 (PENDING):

CCRB CASE: 202002387 REPORT DATE: 03/27/2020



Disclosure # 8 (PENDING):

CCRB CASE: 202003171 REPORT DATE: 05/11/2020



Disclosure # 9 (PENDING):

CCRB CASE: 202003281 REPORT DATE: 05/13/2020



Disclosure #10 (PENDING):

CCRB CASE: 202008222 REPORT DATE: 12/15/2020



Eric Gonzalez District Attorney Kings County